

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH JOHN UNCAPHER,

Petitioner,

Case No. 1:08-cv-457

v

HON. JANET T. NEFF

STATE OF MICHIGAN,

Respondent.

/

FINAL ORDER

This is a habeas corpus petition filed pursuant to 28 U.S.C. § 2254. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation, recommending that this Court deny the petition. The Report and Recommendation was duly served on the parties. No objections have been filed, see 28 U.S.C. § 636(b)(1), and the Court issues this Judgment pursuant to FED. R. Civ. P. 58.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Dkt 6) is **APPROVED** and **ADOPTED** as the opinion of the Court and the petition for habeas corpus relief is **DISMISSED** for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is **DENIED** as to each issue asserted. Petitioner has not demonstrated that reasonable jurists would find the Court's rulings debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Murphy v. Ohio*, 263 F.3d 466, 466-67 (6th Cir. 2001).

Date: July 28, 2008

/s/Janet T. Neff

JANET T. NEFF

United States District Judge